

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)	Robert Edward Markowitz
Application	10/676,485
Confirmation	7518
Filed	10/01/2003
Application Title	Proxy Apparatus and Method for Streaming Media Information and for Increasing the Quality of Stored Media Information
Art Unit	2155
Latest Examiner	David R. Lazaro

INFORMATION DISCLOSURE STATEMENT (IDS)

Mail Stop Amendment

Commissioner for Patents
United States Patent and Trademark Office (USPTO)
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.56, 1.97, and 1.98, the attention of the USPTO is hereby directed to the attached listing of documents and/or the attached Declaration. For each document listed under "Foreign Patent Documents" or "Non Patent Literature Documents", one copy of that document is attached.

It is respectfully requested that the listed documents:

- (1) be expressly considered during the prosecution of this application;
- (2) be made of record therein; and
- (3) appear among the "References Cited" on any patent to issue therefrom.

Although the information submitted herewith might be “material” to the USPTO’s consideration of this application, this submission is not intended to be an admission that such information qualifies as “prior art” as to any claimed subject matter. The filing of this Information Disclosure Statement is not to be construed to mean that a search has been made.

The following marked paragraphs are applicable in this IDS:

Timing of this IDS:

- ☒ **A.** This IDS is being filed per 37 CFR 1.97(b)
- ☐ (1): within 3 months of the U.S. filing date other than a CPA under 1.53(d);
 - ☐ (2): within 3 months of the date of entry of the national stage as set forth in 1.491 in an international application;
 - ☐ (3): before the mailing date of a first Office Action on the merits; **OR**
 - ☒ (4): before the mailing date of a first Office Action associated with a request for continued examination (RCE) under 1.114;

AND, thus, no certification or fee is required.

- ☐ **B.** This IDS is being filed per 37 CFR 1.97(c), **AFTER** the period specified in 37 CFR 1.97(b) [section **A** of this IDS], and **BEFORE**:
- (a) the mailing date of any Final Action under 1.113,
 - (b) a Notice of Allowance under 1.311, **OR**
 - (c) an action that otherwise closes prosecution,

AND, per 37 CFR 1.97(e), I hereby certify that:

- ☐ (1) each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this IDS ; **OR**

- ☐ (2) no item of information in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than 3 months prior to the filing of this IDS;

OR, per 37 CFR 1.97(c), this IDS is accompanied by:

- ☐ (3) payment of the fee under 37 CFR 1.17(p) to ensure consideration of the disclosed information.

- ☐ C. This IDS is being filed per 37 CFR 1.97(d), **AFTER** the period specified in 37 CFR 1.97(c) [section **B** of this IDS], and **ON** or **BEFORE** the payment of the Issue Fee;

AND, per 37 CFR 1.97(e), I hereby certify that:

- ☐ (1) each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this IDS; **OR**
- ☐ (2) no item of information in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than 3 months prior to the filing of this IDS;

AND, per 37 CFR 1.97(d), this IDS is accompanied by:

- ☐ (3) payment of the fee under 37 CFR 1.17(p) to ensure consideration of the disclosed information.

Legible Copies of Listed References:

- ☐ D. In addition to the attached listing, accompanying this IDS is a legible copy of each listed:
- (1) foreign patent document;

- (2) pending unpublished U.S. application OR that portion of the application that caused it to be listed including any claims directed to that portion; **AND**
- (3) non-patent document or that portion thereof that caused it to be listed;
- (4) other information or that portion that caused it to be listed.

- ☐ E. Consistent with 37 CFR 1.98(d), because the IDS submitted in parent U.S. Patent Application No. ____, to which this application claims priority per 35 U.S.C. 120, complies with 37 CFR 1.98(a) to (c), copies of the patent documents, non-patent documents, pending U.S. application, and other information submitted in that parent application do not accompany this IDS.

Related U.S. Application(s):

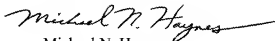
- ☐ K. The Examiner's attention is directed to U.S. Patent Application No. ____, which is directed to related technical subject matter. The identification of this U.S. Patent Applications is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the documents cited therein during examination of the present application.
- ☒ L. This application is one of a series of related applications, namely, U.S. Patent Application Nos. 09/466,631, 09/294,525, which are directed to related technical subject matter. The identification of those U.S. Patent Applications is not to be construed as a waiver of secrecy as to those applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the documents cited therein during the examination.
- ☐ M. The listed document(s) was/were cited by or submitted to the Office in parent application No. ____, filed ____, which is relied upon for an earlier filing date under 35 U.S.C. 120. Thus, copies of these documents are not attached. 37 CFR 1.98(d).

CONCLUSION

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. 1.16 or 1.17 to Deposit Account No. 50-2504. The Examiner is invited to contact the undersigned at 434-972-9988 to discuss any matter regarding this application.

Respectfully submitted,

Michael Haynes PLC

A handwritten signature in black ink, reading "Michael N. Haynes", with a long horizontal flourish extending to the right.

Michael N. Haynes

Registration No. 40,014

Date: 30 January 2008

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